



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

3601 W. Washington • Yakima, Washington 98903-1164 • (509) 575-2800

May 31, 1994

Pacific Fruit Growers & Packers Inc.  
5002 Tieton Dr  
Yakima WA 98908-3452

Re: Emergency Drought Authorization under Application No. G4-31790

In accordance with the provisions of RCW 43.83B.405, on May 12, 1994 it was ordered and determined by the Director of the Department of Ecology that the Yakima River basin is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Washington State Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. This authorization is conditioned by the following provisions and limitations:

1. The initiation date of this EMERGENCY PERMIT is May 16, 1994.

This EMERGENCY PERMIT will terminate on or before December 1, 1994, unless sooner revoked by the Director of the Department of Ecology. **THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE FACILITY HEREIN AUTHORIZED.**

2. This permit authorizes the use of an existing well located approximately 1000 feet west and 250 feet south from the north corner of Section 25, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 25, T. 11 N., R. 21 E.W.M. This permit does not authorize any modification to the existing well. The well is reportedly 800 feet deep and cased to 400 feet below land surface.
3. The following well construction requirements must be satisfied before water use as described below can be started:

For the purpose of making water level measurements, installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage are also required when the well has a static water level greater than 100 feet below land surface. The air

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line shall be constructed of 1/4 inch minimum diameter galvanized steel pipe, or comparable material if pre-approved by the department. The air line shall be equipped with a standard tire (Schrader) valve. Distance from land surface to the bottom end of the air line shall be clearly posted at the well site, accurate to 0.5 feet or less. The air line, access port, and all well equipment shall be installed and maintained to provide access for measurement of water levels.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

4. A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology at the end of the 1994 irrigation season.

5. The quantity of water to be withdrawn is limited to 840 gpm and 112 acre-feet per year. This is based upon the instantaneous quantity requested in the application and an annual quantity of 0.8 acre-feet per acre.
6. Water is to be used for supplemental irrigation of 140 acres from May 15 to December 1, 1994. The place of use is described as follows:

Parcel A:

The NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 25, T. 11 N., R. 21 E.W.M., EXCEPT the following:

Beginning at the northwest corner; thence east a distance of 303.9 feet; thence S 0°05'E a distance of 200.3 feet; thence S 30°49'W a distance of 429.9 feet; thence S 44°34'W a distance of 107.7 feet to the west line;



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thence N 0°47'W a distance of 646.6 feet to the point of beginning; AND EXCEPTING therefrom that portion thereof conveyed to Yakima County for road by deed recorded under Auditor's File No. 2186584 and No. 2186585; AND EXCEPT right-of-way for Houghton Road.

### Parcel B:

That part of the NE¼NW¼ of Section 25, T. 11 N., R. 21 E.W.M., described as follows:

Beginning at the southeast corner of the said NE¼NW¼; thence S 89°49'W a distance of 459.1 feet; thence N 19°41'E a distance of 374.8 feet; thence N 44°34'E a distance of 461.3 feet; thence S 0°47'E a distance of 679 feet to the point of beginning.

### Parcel C:

That part of the SW¼NE¼ of Section 25, T. 11 N., R. 21 E.W.M., lying above the Roza Canal; ALSO that part of the SE¼NW¼ of Section 25, T. 11 N., R. 21 E.W.M., described as follows:

Beginning at the northeast corner of the SE¼NW¼; thence S 89°49'W along the north line of said subdivision a distance of 459.1 feet to an intersection with the upper right-of-way line to the Roza Main Canal; thence southerly and easterly along said right-of-way line to an intersection with the east line of said SE¼NW¼; thence north along the east line of said subdivision to the point of beginning.

### Parcel D:

That part of the E½NE¼ of Section 25, T. 11 N., R. 21 E.W.M., described as follows:

Beginning at the northwest corner; thence east 779.3 feet; thence S 14°06'E a distance of 805.7 feet; thence S 1°30'W a distance of 537.6 feet; thence S 14°02'W a distance of 1127 feet, more or less, to the north right-of-way line of the Roza Canal; thence westerly along said right-of-way to the west line of said E½NE¼ of Section 25, T. 11 N., R. 21 E.W.M.; thence north 2500 feet, more or less, to the point of beginning.

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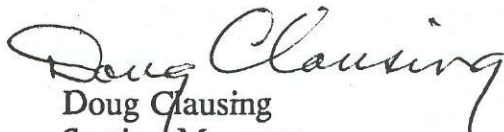
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EXCEPT right-of-way for Houghton Road; AND EXCEPT that portion thereof conveyed to Yakima County for Road by Deed recorded under Auditor's No. 2186584 and No. 2186585. TOGETHER WITH the appurtenances belonging thereto.

7. The irrigation water herein authorized to be withdrawn is supplemental to water made available under primary rights by the Roza Irrigation District. The only water herein permitted for withdrawal is water necessary to alleviate hardships and reduce burdens on water users arising from drought conditions. This amount shall not exceed 0.8 acre-feet per year per acre.
8. Withdrawal of water under this right may be limited or otherwise regulated in favor of senior rights.

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the request must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,

  
Doug Clausing  
Section Manager  
Water Resources Program

DC:PC:gh  
940586.wr4

Enclosures: Flow Measurement Record  
Flow Meter Requirements  
Ground Water Bulletin No. 1

cc:: Yakama Indian Nation  
Dale Bambrick  
Wendell Hannigan